

REMARKS

The Office Action mailed April 14, 2009, has been received and its contents carefully considered. Claims 1-12 were pending. Claims 8-11 are withdrawn from consideration as being directed to a non-elected invention. Claims 1-7 and 12 are rejected.

By this response, Applicants have amended claim 1. No statutory new matter has been added. Support for all amendments can be found in the original specification.

Claim Rejections under 35 U.S.C. § 112, 1st paragraph

Claims 1-7 and 12 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement.

Regarding claim 1, the Examiner has taken the position that “*a first double-acting unit*” and “*a second double-acting unit*” are not described in the specification. The Examiner refers to “double-acting driving units” at para. [0022] of the instant specification.

By this response, Applicants have amended claim 1 by replacing first and second double-acting units with “*a first double-acting driving unit*” and “*a second double-acting driving unit*”, respectively, to be more consistent with the specification. Thus, the rejection has been accommodated.

In addition, the Examiner has taken the position that claim 1, last para., beginning with the phrase “*a controller for controlling...*” lacks an adequate written description.

By this response, Applicants have further amended claim 1 to recite, “*a controller for controlling driving/stopping of the second driving unit in association with driving/stopping of the first double-acting driving unit*”. Adequate support for the claim amendments are preferably illustrated in FIG. 1. Thus, the rejection has been accommodated.

In view of the foregoing, Applicants courteously solicit reconsideration and withdrawal of the rejection as to claims 1-7 and 12.

Claim Rejections under 35 U.S.C. § 112, 2nd paragraph

Claims 1-7 and 12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants' regard as their invention. The Examiner requests clarification regarding the relationship between the controller, 1st double-acting driving unit and 2nd double-acting driving unit.

By this response, claim 1 has been amended to read, “*a controller for controlling driving/stopping of the second driving unit in association with driving/stopping of the first double-acting driving unit*”. Specifically, the controller 35 operates the 1st double-acting driving unit 21 that is aligned with the tape feeding unit B in order to drive the tape. The 2nd double-acting driving unit 22 aligned with the tape taking-up unit F is located downstream of the 1st double-acting driving unit. Thus, the controller operates the 2nd double-acting driving unit in association with the 1st double-acting driving unit. The claim, as presently recited, describes this configuration. Therefore, the rejection has been accommodated. Reconsideration and withdrawal of the rejection as to claims 1-7 and 12 are earnestly solicited by Applicants.

Claim Rejections under 35 U.S.C. 103 (a)

Claims 1-2 and 5-7 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over Kanehara (JP 9-132207) in view of Omura et al. (U.S. 4,374,463). The rejection is respectfully traversed.

Independent claim 1, as amended, describes a carrier tape forming apparatus requiring:

“*a first double-acting driving unit aligned with a feeding direction of the tape along a straight driving path and being fluid-operated for driving the tape feeding unit;*

a second double-acting driving unit aligned with the feeding direction of the tape along the straight driving path and being fluid-operated for driving the tape taking-up unit; and

a controller for controlling driving/stopping of the second driving unit in association with driving/stopping of the first double-acting driving unit”. Applicants submit that Kanehara

and Omura, either alone or in combination, fail to disclose all of the claimed features of amended claim 1.

As an initial matter, it is submitted that the claimed invention describes a compact device that utilizes driving units (i.e., cylinders aligned with their respective units) rather than motors. By so doing, there is more available space which can be used for storing and setting a greater length of tape(s) at one time.

Kanehara has been characterized in the Office Action as describing first and second double-acting driving units as clamp parts 5c and 5d, controlled by a controller 5e.

Applicant submits that the characterization of Kanehara's driving units is inaccurate. Specifically Kanehara's clamp parts 5c and 5d are not equivalent to first/second double-acting driving units. To the contrary, Applicants' driving units are cylinders used as a driving source for the apparatus. See FIG. 1. Because clamps cannot be used as driving sources to operate the apparatus, Kanehara simply does not describe the claimed features. Omura fails to remedy Kanehara's deficiency. Therefore, the obvious rejection in view of the combination must fail.

Second, Applicants submit that clamp parts 5c and 5d are perpendicular to the tape feeding direction. As a result, Kanehara's apparatus requires more space. To the contrary, one of Applicants' preferred objectives is to reduce space for extra storage capacity, *supra*. To further distinguish over Kanehara, Applicants have amended claim 1 to recite that each of the driving units are aligned with the feeding direction of the tape (i.e., parallel). Kanehara does not recite a "*driving unit aligned with a feeding unit*". Omura does not appear to remedy Kanehara's deficiency. Therefore, the obvious rejection must fail.

Reconsideration and withdrawal of the rejection as to claim 1 and claims 2 and 5-7, dependent thereon, are earnestly solicited by Applicants.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanehara in view of Omura as applied to claim 2, and further in view of Larsen et al. (U.S. 5,389,190).

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Kanehara in view of

Omura as applied to claim 1, and further in view of Teed (U.S. 3,984,272). Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanehara in view of Omura as applied to claim 1, and further in view of Nakajima (U.S. 4,578,140). None of Larsen, Teed or Kanehara remedy the deficiencies of Kanehara and Omura with respect to the features of claim 1. Since each of claims 3, 4 and 12 directly depend upon claim 1, Applicant advances arguments made for claim 1 herein. Therefore, each of the obvious rejections with respect to claims 3, 4 and 12 must fail. Applicants kindly request reconsideration and withdrawal of the rejections to claims 3, 4, and 12.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Therefore it is respectfully requested that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for all allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-4300, Attorney Docket No. 0033036.086.

Respectfully submitted,

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